

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERIKA EBERHARDINGER,	:	NO.: 1:16-CV-02481-CCC
	:	
Plaintiff	:	
vs.	:	JURY TRIAL DEMANDED
	:	
BENJAMIN SMITH and	:	
MATTHEW FOSTER	:	The Honorable Christopher C. Conner
	:	
Defendants.	:	

**DEFENDANT BENJAMIN SMITH’S MEMORANDUM OF LAW IN
RESPONSE TO PLAINTIFF’S MOTION IN LIMINE TO PRECLUDE
EXPERT TESTIMONY FROM PENNSYLVANIA STATE POLICE, SGT.
STEVEN WISE, BENJAMIN SMITH, BENJAMIN PRASTER AND/OR
CHIEF WESLEY KAHLEY**

I. PRELIMINARY STATEMENT

Officer Smith will not be offering expert testimony from Pennsylvania State Police, Sgt. Steven Wise, Benjamin Smith, Benjamin Praster or Chief Wesley Kahley at trial. Accordingly, Plaintiff’s motion in limine is moot.

II. CONCLUSION

Officer Smith respectfully requests that this Honorable Court deny Plaintiff’s motion in limine as moot.

Respectfully submitted,

WILLIAM J. FERREN & ASSOCIATES
BY: /s/ Leticia J. Santiago
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